

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RODNEY CARL WHEELER,

Plaintiff,

V.

ATTORNEY GENERAL'S OFFICE.

Defendant.

CASE NO. C11-5311-RBL-JRC

ORDER

This 42 U.S.C. §1983 civil rights matter has been referred to the undersigned

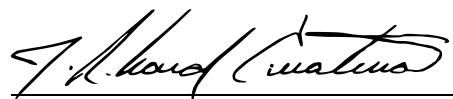
Magistrate Judge pursuant to 28 U.S.C. §§ 636 (b)(1)(A) and (B) and Local Magistrate Judge Rules MJR 1, MJR 3, and MJR 4. Plaintiff has filed a motion for appointment of counsel while his case is on appeal (ECF No. 22).

The filing of a notice of appeal generally divests the District Court of Jurisdiction.

City of Los Angeles, Harbor Div. v. Santa Monica Baykeeper, 254 F.3d 882 (9th Cir. 2001). The motion will not be considered. If the action survives appeal, plaintiff may

1 renew his motion. The Clerk's Office is directed to remove the motion, (ECF No. 22),
2 from the court's calendar.

3 Dated this 13th day of October, 2011.

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J. Richard Creatura
United States Magistrate Judge

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